



Attorney/Docket No. 31132.63 / PC791.01
Customer No. 000027683

JPW

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:
Molz, et al.

Serial No.: 10/733,554

Filed: December 10, 2003

For: Method and Apparatus for Replacing the
Function of Facet Joints

§
§ Group Art Unit: 3738
§
§ Confirmation No.: 7729
§
§ Examiner: unknown
§
§
§

SECOND INFORMATION DISCLOSURE STATEMENT

Mail Stop Amendment
Commissioner For Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In compliance with the duty of disclosure under 37 CFR §1.56, and in accordance with the practice under 37 CFR §1.97 and §1.98, the Examiner's attention is directed to the documents listed on the enclosed modified Form PTO-1449. No inference should be made that the cited references are in fact material, are in fact prior art, or that no better art exists. The cited patents are listed in numerical order and are not in any order based on their pertinence.

The above-identified application was filed after June 30, 2003. Therefore, pursuant to the waiver of the requirement under 37 CFR 1.98 (a)(2)(i) as stated in a Pre-OG Notice dated July 11, 2003, copies of only the foreign patent documents listed on the enclosed modified Form PTO-1449 are attached.

The undersigned first became aware of the cited patents by their inclusion in an International Search Report issued by the ISA/EP on June 2, 2005, the PCT counterpart of the present application. A copy of the search report is enclosed.

The Commissioner is hereby authorized to charge any fees which may be required or credit any overpayment to Deposit Account 08-1394.

It is respectfully requested that the above information be considered by the Examiner and that a copy of the enclosed Form PTO-1449 be returned indicating that such information has been considered.

Respectfully submitted,

Julie M. Nickols

Julie M. Nickols
Registration No. 50,826

Date: 7/6/05
HAYNES AND BOONE, LLP
901 Main Street, Suite 3100
Dallas, Texas 75202-3789
Telephone: 972-739-8640
Facsimile: 214-200-0853

Certificate of Mailing

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on 7-6-05.

Gayle CONNER
Printed Name
Gayle Conner
Signature

